

ANALYSIS AND FINDINGS FOR
LAND DIVISION APPROVAL

Section 40.45.15.3.C lists the criteria in order to approve a Preliminary Subdivision Type II application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. The proposal satisfies the threshold requirements for a Preliminary Subdivision application.***

Facts and Findings:

Section 40.45.15.3.A Threshold: An application for Preliminary Subdivision shall be required when the following threshold apply:

“The creation of four or more new lots from a lot of record in one (1) calendar year.”

The applicant proposes to create seven (7) new lots and three tracts, thereby meeting the threshold for a preliminary subdivision application.

Therefore, staff find that the proposal meets the criterion for approval.

- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

Facts and Findings:

The City of Beaverton received the appropriate fee of \$2,046.00 for a Preliminary Subdivision application.

Therefore, staff find that the proposal meets the criterion for approval.

- 3. Oversized lots shall have a size and shape which will facilitate the future partitioning or subdividing of such lots in accordance with the requirements of this Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots as well as the future development on oversized lots.***

Facts and Findings:

The applicant states the development will not create any oversized lots. The definition of oversized lot in the Development Code reads: “A lot which is greater than twice the required minimum lot size allowed by the subject zoning district.”

The proposed lot sizes range between 3,724 to 4,800 square feet, well below the square footage required to be considered oversized within the R-7 district. Further, the proposal was shown to meet the density requirements, of the R-7 zoning district.

Therefore, staff find that the proposal meets the criterion for approval

4. ***If phasing is requested by the applicant, the requested phasing plan can be carried out in a manner which satisfies the approval criteria and provides necessary public improvements for each phase as the project develops.***

Facts and Findings:

The applicant states that there is no phasing proposed with this development.

Therefore, staff find that the criterion is not applicable to this development.

5. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

Facts and Findings:

The intent of this criterion is to ensure the project applicant submits all the proper development applications in the proper sequence. The applicant has submitted two additional applications to be reviewed concurrently with this Preliminary Subdivision application, a Conditional Use Planned Unit Development application and a Flexible Setback application. Approval of the Subdivision application would be contingent upon the approval of both applications as they can affect the lot configuration of this proposed Subdivision. Therefore, staff recommend a condition that prior to issuance of a Site Development Permit, the applicant obtain approval of the Conditional Use and Flexible Setback applications to ensure the proposed lots can be created.

Therefore, staff find that by meeting the conditions of approval, the proposal can meet the criterion.

SUMMARY OF FINDINGS: For the reasons identified above, staff find that the request for Preliminary Subdivision approval is supported within the approval criteria findings, noted above, for Chapter 40, Section 45.15.3.C of the Development Code.

The Committee met on November 10, 2004, and have provided findings, and recommended conditions of approval to meet the necessary technical requirements identified in Section 40.03 of the Development Code. Based on the facts and findings presented, the Director concludes that the proposal, LD2004-0028 Washington Commons Planned Unit Development, meets the criteria.

RECOMMENDATION

Based on the facts and findings presented, staff recommend **APPROVAL** of **LD2004-0028 (Washington Commons Planned Unit Development)**, subject to the applicable conditions identified in Attachment E.